

**FILED**

**MAR 19 2013**

THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS  
EAST ST. LOUIS OFFICE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DESTROY J. MARCOTTE,

Defendant.

CRIMINAL NO. 13-30053-MJR

**INDICTMENT**

**THE GRAND JURY CHARGES:**

**COUNT 1**

**FALSE CLAIM FOR FEDERAL TAX REFUND - 2005 RETURN**

On or about October 14, 2008, in St. Clair County, within the Southern District of Illinois,

**DESTROY J. MARCOTTE,**

defendant herein, a resident of the City of Belleville, within St. Clair County, presented to the United States Treasury Department a claim against the United States for payment of a refund of taxes in the amount of \$147,586, which he then and there knew to be false, fictitious, and fraudulent in falsifying the amount of income taxes previously withheld. **DESTROY J. MARCOTTE** made the claim by preparing and causing to be prepared, an amended U.S. Individual Income Tax Return, Form 1040X, with attachments, which was presented to the United States Treasury Department, through the Internal Revenue Service.

All in violation of Title 18, United States Code, Section 287.

**COUNT 2**

**FALSE CLAIM FOR FEDERAL TAX REFUND - 2006 RETURN**

On or about October 14, 2008, in St. Clair County, within the Southern District of Illinois,

**DESTROY J. MARCOTTE,**

defendant herein, a resident of the City of Belleville, within St. Clair County, presented to the United States Treasury Department a claim against the United States for payment of a refund of taxes in the amount of \$136,905, which he then and there knew to be false, fictitious, and fraudulent in falsifying the amount of income taxes previously withheld. **DESTROY J. MARCOTTE** made the claim by preparing and causing to be prepared, an amended U.S. Individual Income Tax Return, Form 1040X, with attachments, which was presented to the United States Treasury Department, through the Internal Revenue Service.

All in violation of Title 18, United States Code, Section 287.

**COUNT 3**

**FALSE CLAIM FOR FEDERAL TAX REFUND - 2007 RETURN**

On or about December 23, 2008, in St. Clair County, within the Southern District of Illinois,

**DESTROY J. MARCOTTE,**

defendant herein, a resident of the City of Belleville, within St. Clair County, presented to the United States Treasury Department a claim against the United States for payment of a refund of taxes in the amount of \$183,859, which he then and there knew to be false, fictitious, and fraudulent in falsifying the amount of income taxes previously withheld. **DESTROY J. MARCOTTE** made the claim by preparing and causing to be prepared, a U.S. Individual

Income Tax Return, Form 1040, with attachments, which was presented to the United States Treasury Department, through the Internal Revenue Service.

All in violation of Title 18, United States Code, Section 287.

**COUNT 4**

**FALSE CLAIM FOR FEDERAL TAX REFUND - 2008 RETURN**

On or about February 25, 2009, in St. Clair County, within the Southern District of Illinois,

**DESTROY J. MARCOTTE,**

defendant herein, a resident of the City of Belleville, within St. Clair County, presented to the United States Treasury Department a claim against the United States for payment of a refund of taxes in the amount of \$153,989, which he then and there knew to be false, fictitious, and fraudulent in falsifying the amount of income taxes previously withheld. **DESTROY J.**

**MARCOTTE** made the claim by preparing and causing to be prepared, a U.S. Individual Income Tax Return, Form 1040, with attachments, which was presented to the United States Treasury Department, through the Internal Revenue Service.

All in violation of Title 18, United States Code, Section 287.

**COUNT 5**


**FALSELY PRETENDING TO BE AN OFFICER OF THE UNITED STATES ACTING UNDER THE  
AUTHORITY OF THE UNITED STATES TO DEMAND A THING OF VALUE**

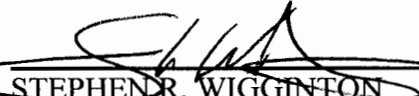
On or about December 9, 2009, in St. Clair County, within the Southern District of Illinois,

**DESTRY J. MARCOTTE,**

defendant herein , did falsely assume and pretend to be an officer of the United States acting under the authority thereof, that is "a duly authorized representative of the United States as a warranted contracting officer," and in such assumed and pretended character with intent to defraud did falsely demand a thing of value, in that he fraudulently filed a release of lien on real property pretending to be an authorized U.S. government official to release a federal tax lien placed on his real property, located at 413 Ring of Kerry, Belleville, Illinois.

All in violation of Title 18, United States Code, Section 912.

  
NORMAN R. SMITH  
Assistant United States Attorney

  
STEPHEN R. WIGGINTON  
United States Attorney

Recommended bond: \$50,000 secured